

Anticipated Classification
of this Application:
Class _____ Subclass _____

Prior Application:
Examiner _____
Group Art Unit _____

Attorney's
Docket
N .51917-CA-PCT-US

October 3, 2003.

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

16834 U.S. PTO
10/679135
100303

S I R:

This is a request for filing a X CONTINUATION
 DIVISIONAL CONTINUATION-IN-PART application under
 X 37 C.F.R. §1.53(b) 37 C.F.R. §1.53(d), of pending prior application
Serial No. 09/671,100 filed on September 27, 2000 of
 David J. Pinsky, David Stern, Ann Marie Schmidt, Eric Rose, Robert A. Solomon for
 Inventor(s)

 METHODS FOR TREATING AN ISCHEMIC DISORDER AND IMPROVING STROKE OUTCOME
 Title of Invention

1. Enclosed is a copy of the prior application, as originally
filed and an affidavit or Declaration verifying it as a
true copy.
2. A verified statement to establish small entity status under
37 C.F.R. §1.9 and 1.27
 is enclosed.
 was filed in the prior application and such status
is still proper and desired (37 C.F.R. §1.28(a)).
3. X The filing fee is calculated as follows:

 CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE			FEE	
					SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
Total Claims	43-20	=	23	X	9	18	=	\$ N/A	\$ 414
Independent Claims	10-3	=	7	X	42	84	=	\$	\$ 588
Multiple Dependent Claims Presented: <u> </u> Yes <u> X </u> No					140	280	=	\$	\$
					BASIC FEE			\$ 375	\$ 750
					TOTAL FEE			\$	\$1752

*If the difference in Col. 1 is
less than zero, enter "0" in
C 1. 2.

¹ Filing an application pursuant to this section expressly abandons the
parent application.

4. X The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.
- X Any additional filing fees required under 37 C.F.R. §1.16.
- X Any patent application processing fees under 37 C.F.R. §1.17.
- The issue fees set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).
5. X Three copies of this sheet are enclosed.
6. X A check in the amount of \$ 1752.00 is enclosed.
7. Cancel claims .
8. Amend the specification by inserting before the first line the sentence: --This is a continuation division of application Serial No. , filed ---
9. X 52 Sheet(s) of informal X formal drawing(s) is/ are enclosed.
10. Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11. Priority of application No. filed on in (country) is claimed under 37 U.S.C. §119.
- The certified copy of the priority application has been filed in prior application Serial No. , filed .
12. X The prior application is assigned of record to The Trustees of Columbia University in the City of New York.
13. X A preliminary amendment is enclosed.
14. X The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40,837); Richard F. Jaworski (Reg. No. 33,515); Alan J. Morrison (Reg. No. 37,399); Mark A. Farley (Reg. No. 33,170); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); and Christine S. Nickles (Reg. No. 51,103)

- (a) _____ The power appears in the original papers in the prior application.
- (b) _____ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communications to:
(May only be completed by applicant, or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

15. X Also enclosed Express Mail Certificate of Mailing No.

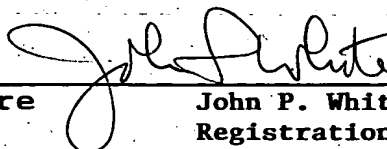
EV 325 703 330 US, dated October 3, 2003 and Information Disclosure

16. _____ I hereby verify that the attached papers are a ^{Statement} true copy of prior application Serial No. _____ as originally filed on _____.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

October 3, 2003
Date

Signature



John P. White

Registration No. 28,678

- ____ INVENTOR(S)
____ ASSIGNEE OF COMPLETE INTEREST
 X ATTORNEY OR AGENT OF RECORD
____ FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

John P. White, Esq.
Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

Docket No. 51917-CA-PCT-US/JPW/GJG/DJK
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David J. Pinsky, et al.
Serial No.: Not Yet Known
Filed: Herewith

For: METHODS FOR TREATING ISCHEMIC DISORDERS
USING CARBON MONOXIDE

1185 Avenue of the Americas
New York, New York 10036
October 3, 2003

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

EXPRESS MAIL
CERTIFICATE OF MAILING
FOR THE ABOVE-IDENTIFIED APPLICATION

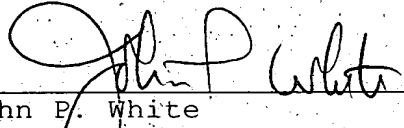
"Express Mail" mailing label number: EV 325 703 330 US

Date of deposit: October 3, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop Patent Application Commission for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Printed Name: David J. Kerwick

Respectfully submitted,


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